

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

TIMOTHY JONES, :  
Petitioner, Case No. 3:20-cv-485  
- vs - District Judge Michael J. Newman  
WARDEN, Mansfield Correctional Institution, Magistrate Judge Michael R. Merz  
Respondent. :  
\_\_\_\_\_  
\_\_\_\_\_

**ORDER ADOPTING REPORT AND RECOMMENDATION (DOC. NO. 20)**

---

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 20) to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendation.

Accordingly, it is hereby **ORDERED** that the Petition is **DISMISSED with prejudice**. Petitioner is **DENIED** any requested certificate of appealability, and the Court hereby certifies to the United States Court of Appeals for the Sixth Circuit that an appeal would be objectively frivolous and therefore should not be permitted to proceed *in forma pauperis*.

October 18, 2021

s/Michael J. Newman  
Hon. Michael J. Newman  
United States District Judge